

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	CONSENT PRELIMINARY ORDER
- v. -	:	OF FORFEITURE/
	:	<u>MONEY JUDGMENT</u>
VICTOR PHILLIPS,	:	
	:	19 Cr. 809 (WHP)
Defendant.	:	
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WHEREAS, on or about November 13, 2019, VICTOR PHILLIPS (the "Defendant"), among others, was charged in one count of a three-count Indictment, 19 Cr. 809 (WHP) (the "Indictment"), with bank bribery conspiracy, in violation of Title 18, United States Code, Section 371 (Count Three);

WHEREAS, the Indictment included a forfeiture allegation as to Count Three of the Indictment, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 982(a)(2)(A), of any and all property constituting, or derived from, proceeds the Defendant obtained directly or indirectly, as a result of the offense charged in Count Three of the Indictment, including by not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offense charged in Count Three of the Indictment;

WHEREAS, on or about February 13, 2020, the Defendant pled guilty to Count Three of the Indictment;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$1,500 in United States currency representing the amount of proceeds traceable to the offense charged in Count Three of the Indictment that the Defendant personally obtained (the "Money Judgment");

WHEREAS, the Defendant agrees that within 30 days of the entry of this Consent Preliminary Order of Forfeiture/Money Judgment, the Defendant shall begin making monthly payments of at least \$50 to the Government until the Money Judgment is satisfied; and

WHEREAS, the Defendant admits that, as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offense charged in Count Three of the Indictment that the Defendant personally obtained cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Audrey Strauss, Acting United States Attorney, Assistant United States Attorney, Andrew A. Rohrbach of counsel, and the Defendant, and his counsel, Richard E. Signorelli, Esq., that:

1. As a result of the offense charged in Count Three of the Indictment, to which the Defendant pled guilty, a money judgment in the amount of \$1,500 in United States currency, representing the amount of proceeds traceable to the offense charged in Count Three of the Indictment that the Defendant personally obtained, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant, VICTOR PHILLIPS, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. Within 30 days of the entry of this Consent Preliminary Order of Forfeiture/Money Judgment, the Defendant shall begin making monthly payments of at least \$50 to the Government until he has paid a total of \$1,500 in full satisfaction of the Money Judgment. The monthly payments will be suspended during any month that the Defendant is in Federal custody relating to this case.

4. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the Defendant's name and case number.

5. The United States Marshals Service is authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

6. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

7. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.


8. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

9. The Clerk of the Court shall forward three certified copies of this Consent Preliminary Order of Forfeiture/Money Judgment to Assistant United States Attorney Alexander J. Wilson, Co-Chief of the Money Laundering and Transnational Criminal Enterprises Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.

10. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:


AUDREY STRAUSS
Acting United States Attorney for the
Southern District of New York

By: 

ANDREW A. ROHRBACH
Assistant United States Attorney
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2345


October 5, 2020
DATE

VICTOR PHILLIPS

By: 

VICTOR PHILLIPS


10/5/2020
DATE

By: 

RICHARD E. SIGNORELLI, ESQ.
Attorney for Defendant
52 Duane Street, 7th Floor
New York, NY 10007

10/5/2020
DATE

SO ORDERED:



WILLIAM H. PAULEY III
U.S.D.J.

October 6, 2020
DATE